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From: Brian Cofresi [bcofresi@earthlink.net]
Sent: Tuesday, October 21, 2003 1:27 AM
To: nprm@ttb.gov
Subject: Support of TTB Notice #4

Brian Cofresi Brewer

River City Brewing Co.

Sacramento, CA 95814 October 20, 2003

Chief, Regulations and Procedures Division
Tax and Trade Bureau PO Box 50221 Washington,
D.C. 20031-0221 RE: TTB Notice #4 Dear Sir or
Madam: As the Brewer at River City Brewing
Co. I am writing in support of the proposed
standard of composition for Flavored Malt
Beverages ("FMB's"), as set forth by the Tax
and Trade Bureau ("TTB") in TTB Notice No. 4
of March 2003. This proposal is essential to
the beer industry as it clearly delineates
the difference between beer and other alcohol
beverages, requiring that the alcohol content
in FMB's derived from distilled alcohol not
exceed 0.5% in order to be classified as
"beer."

The
United States has, in the past quarter of a
century, experienced a revival in the brewing
industry, from a low of 41 breweries to
today's high of more than 1,400 breweries.
River City Brewing Co., with its 50+
employees, located 8 blocks from California's
Capitol, was founded in 1993 as part of this
revival. The revival is predicated on renewed
commitment to traditional processes and beer
styles. This dedication to the art of beer
has produced extensive investment in small
businesses and the emergence of a group of
consumers who appreciate the unique
properties of beer. Many of our customers do
understand the attributes of beer and the
consequences of this rule making process.

Continued success in
the small brewing industry requires
maintenance of an even playing field for all
industry members claiming to produce beer or
other malt beverages. Our company regards
this proposed rule as a critical step towards
consistent classification of alcoholic
beverages. An orderly marketplace and
consistency of laws and regulations

Federal

leadership in this area is critical as state definitions of "beer," "malt beverage," and "spirits" are generally consistent with the definitions found in federal laws and regulations. Thus, the proposed rule will likely be followed at the state level, helping to maintain clear and distinct definitions that will guarantee consistent tax, licensing, and distribution policies for each category. Furthermore, any alternative to the TTB proposal will likely trigger disruptive state legislative and regulatory actions. These measures could have significant ramifications for the more than 1,400 small breweries and for thousands of alcohol beverage licensees, most of which are also small businesses.

I support the proposed "0.5% standard" for FMBs. Its consistency with historical interpretations of federal regulations will help maintain an orderly marketplace and the integrity of the beer category. Sincerely,
Brian Cofresi, Brewer
bcofresi@earthlink.net